

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JANE LUNA, as Administratrix of the Estate of)	
Charles Jason Toll, deceased,)	
)	
Plaintiff,)	
v.)	CASE: 3:11-0093
)	JURY DEMAND
)	Judge Nixon
)	Magistrate Judge Knowles
RICKY J. BELL, Warden of Riverbend Prison;)	
GAELEN DOSS, Correctional Officer; and)	<u>Oral Argument Requested</u>
CAPTAIN JAMES HORTON,)	
all individually,)	
)	
Defendants.)	

**PLAINTIFF'S RULE 60(b) OMNIBUS MOTION FOR RELIEF FROM THE
JUDGMENTS ENTERED IN FAVOR OF DEFENDANTS RICKY J. BELL, GAELEN
DOSS, AND JAMES HORTON AND MOTION FOR RELIEF FROM ORDER
DENYING NEW TRIAL**

Comes now the Plaintiff, Jane Luna, as Administratrix to the Estate of Charles Jason Toll, deceased, ("Plaintiff") by and through undersigned counsel, and files this Rule 60(b) Motion For Relief from the Judgments entered in favor of the defendants Ricky J. Bell, Gaelan Doss, and James Horton on August 26, 2013. Additionally, the plaintiff files this Rule 60(b) Motion for Relief From the Order Denying a New Trial that was entered October 10, 2013 for the reasons set forth in the accompanying memorandum of law.

Respectfully submitted,

/s/ David J. Weissman
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document through the Court's Electronic Filing System to:

ARTHUR CROWNOVER, II
PAMELA S. LORCH
Tennessee Attorney General's Office
P.O. Box 20207
Nashville, Tennessee 37202

On this 22nd day of August, 2014.

s/ David J. Weissman
David J. Weissman